



# SPW

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Dated: June 7, 2006 Signature: Michael J. Doherty  
(Michael J. Doherty)

Docket No.:  
SPINE 3.0-447 CONT  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Ralph et al.

Application No.: 10/771,597

Group Art Unit: 3733

Filed: February 4, 2004

Examiner: Not Yet  
Assigned

For: INSERTION TOOL FOR USE WITH  
INTERVERTEBRAL SPACERS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

REQUEST FOR CONSIDERATION OF INFORMATION UNDER 37 CFR § 1.97 (C)

Dear Sir:

It is respectfully requested that the references cited in the enclosed form be considered pursuant to 37 C.F.R. § 1.97(c). Please charge deposit account No. 12-1095 in the amount of \$180.00 pursuant to 37 C.F.R. § 1.17(p). In the event that any additional fee is due in connection with the present request, the same should be charged to our deposit account No. 12-1095.

Dated: June 7, 2006

Respectfully submitted,

06/14/2006 MBIZUNES 00000007 121095 10771597  
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LD-453\



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Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

It is respectfully requested that the references listed on the enclosed form be made of record and considered with respect to the above-referenced U.S. patent application. Submission of the present Information Disclosure Statement should not be taken as an admission that the cited references are legally available prior art or that the same are pertinent or material.

In the event that any fee is due in connection with the present Information Disclosure Statement, the Commissioner is hereby authorized to charge the same to our Deposit Account No. 12-1095.

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By Michael J. Doherty

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PTO/SB/08a/b (07-05)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

<b>Substitute for form 1449A/B/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	10/771,597-Conf. #3441
				Filing Date	February 4, 2004
				First Named Inventor	James D. Ralph
				Art Unit	3733
				Examiner Name	Not Yet Assigned
Sheet	1	of	2	Attorney Docket Number	SPINE 3.0-447 CONT

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	AA*	US-2002/0062131-A1	05-23-2002	Gallo, Sr.	
	AB*	US-2002/0082695-A1	06-27-2002	Neumann	
	AC*	US-2002/0161375-A1	10-31-2002	Ralph et al.	
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	AE1*	US-6,623,525	09-23-2003	Ralph et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				

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				First Named Inventor	James D. Ralph
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				Examiner Name	Not Yet Assigned
				Attorney Docket Number	SPINE 3.0-447 CONT
Sheet	2	of	2		

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>

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